JS 44 (Rev. 4-29-21

## **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS		DEFENDAN	DEFENDANTS				
KYLE NICHOLA	IS GADKE	NEW YORK	NEW YORK TRIBECA GROUP LLC				
(b) County of Residence of	of First Listed Plaintiff XX XCEPT IN U.S. PLAINTIFF CASES)	NOTE: IN LANI	County of Residence of First Listed Defendant Queens County, NY  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.				
(c) Attorneys (Firm Name, .	Address, and Telephone Number)	Attorneys (If Kno	own)				
Stefan Coleman 615, NY 10001,	i, Coleman PLLC, 11 Broadway, Suit (877) 333-9427	e					
II. BASIS OF JURISD	ICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF	PRINCIPAL PARTIES	Place an "X" in One Box for Plaintiff and One Box for Defendant)			
1 U.S. Government Plaintiff			PTF DEF  1 Incorporated or Pri of Business In T	PTF DEF incipal Place 4 × 4			
2 U.S. Government Defendant	■ 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	2 Incorporated and P of Business In A				
	_	Citizen or Subject of a Foreign Country	3 Soreign Nation	<u> </u>			
IV. NATURE OF SUIT	(Place an "X" in One Box Only) TORTS	EODEFITUDE/DENALT	TY BANKRUPTCY	OTHER STATUTES			
110 Insurance	PERSONAL INJURY PERSONAL INJUR	FORFEITURE/PENALT  625 Drug Related Seizure		375 False Claims Act			
120 Marine	310 Airplane 315 Airplane Product Liability   367 Health Care/ 320 Assault, Libel & Pharmaceutical 330 Federal Employers' Liability   368 Asbestos Personal 345 Marine Product Liability   368 Asbestos Personal Injury Product Liability   PERSONAL PROPEI 350 Motor Vehicle   370 Other Fraud	690 Other	423 Withdrawal   28 USC 157	376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit (15 USC 1681 or 1692)			
160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	355 Motor Vehicle 770duct Liability 360 Other Personal 1 Injury 362 Personal Injury 970duct Liability 970duct 100duct 100duc	720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act	SOCIAL SECURITY  861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI	485 Telephone Consumer Protection Act 490 Cable/Sat TV 850 Securities/Commodities/ Exchange  # 890 Other Statutory Actions			
REAL PROPERTY  210 Land Condemnation  220 Foreclosure  230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability  290 All Other Real Property  V. ORIGIN (Place an "X" is	440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities- Employment 446 Amer. w/Disabilities- Other 448 Education  448 Education  449 Civil Rights 440 Mandamus & Other: 540 Mandamus & Other: 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement	791 Employee Retirement Income Security Act te  IMMIGRATION  462 Naturalization Application Actions Actions	FEDERAL TAX SUITS  870 Taxes (U.S. Plaintiff or Defendant)  871 IRS—Third Party 26 USC 7609	891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes			
■ 1 Original 2 Ren	moved from 3 Remanded from Appellate Court	Reopened And	nsferred from 6 Multidistri other District Litigation ecify) Transfer				
VI. CAUSE OF ACTIO	Cite the U.S. Civil Statute under which you a 28 U.S.C. 1332(d)(2) & Fla. Stat. 501.059	are filing (Do not cite jurisdictiona	l statutes unless diversity):				
	Brief description of cause: Violation of the Florida Telephone Solicitation A						
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTIO UNDER RULE 23, F.R.Cv.P.	N DEMAND \$	JURY DEMAND:	if demanded in complaint:  Yes No			
VIII. RELATED CASI IF ANY	E(S) (See instructions): JUDGE		DOCKET NUMBER				
DATE 12/20/2022	SIGNATURE OF ATTORNEY OF RECORD /s/ Stefan Coleman						
FOR OFFICE USE ONLY	13/ Stefan Col						
	MOUNT APPLYING IFP	JUDG	E MAG. JUI	OGE			

## CERTIFICATION OF ARBITRATION ELIGIBILITY Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000.

exclusive o		ts, are eligible for				unt not in excess of \$150,000, elow the threshold amount unless a	
Case is Eli	gible for Arbitration	on					
I, Stefan C	oleman y arbitration for th	ne following reas	on(s):	Kyle Nicholas Gadke	, do hereby o	certify that the above captioned civil action is ineligible fo	r
v	mone	tary damages s	ought are in excess of \$	\$150,000, exclusive of inte	erest and costs	5,	
v	the co	omplaint seeks i	njunctive relief,				
	the m	atter is otherwis	se ineligible for the follow	wing reason			
		DISCLOS	SURE STATEME	NT - FEDERAL RI	JLES CIVII	L PROCEDURE 7.1	
						10% or more or its stocks:	
None		.com, an,					
		RELATE	D CASE STATE	MENT (Section V	II on the F	ront of this Form)	
to another of substantial deemed "re "Presumptiv	civil case for purpo saving of judicial re lated" to another c	ses of this guideling esources is likely to ivil case merely be	ne when, because of the si to result from assigning bot ecause the civil case: (A) ir	milarity of facts and legal issu th cases to the same judge a nvolves identical legal issues,	ues or because the nd magistrate jud or (B) involves the	this form. Rule 50.3.1 (a) provides that "A civil case is "related be cases arise from the same transactions or events, a leg." Rule 50.3.1 (b) provides that "A civil case shall not be he same parties." Rule 50.3.1 (c) further provides that not be deemed to be "related" unless both cases are still	:d
			NY-E DIVISI	ON OF BUSINESS	RULE 50.1(	(d)(2)	
	Is the civil ac County?		ed in the Eastern □ Yes ☑ No		ı a New Yorl	k State Court located in Nassau or Suffolk	
•	If you answe a) Did the ev County?	ents or omis			or a substa	ntial part thereof, occur in Nassau or Suffo	۱ŀ
	b) Did the ev District?		sions giving rise to Yes 🔲 No		or a substa	ntial part thereof, occur in the Eastern	
	c) If this is a I received:	Fair Debt Coll	ection Practice Act c	ease, specify the Count	y in which th	e offending communication was	
Suffolk C Suffolk C	county, or, in a	n interpleader Yes	action, does the claim No	mant (or a majority of t —	he claimants,	f there is more than one) reside in Nassau or , if there is more than one) reside in Nassau or most significant contacts).	
				BAR ADMIS	SION		
	I am currently	admitted in th	e Fastern District of			n good standing of the bar of this court.	
	r ann ouncing		Yes	New York and darrent	No		
	A ==						
	Are you curre	entry the sub			_	r state or federal court?	
		Ц	Yes (If y	es, please explain	<b>∠</b> No		
	I certify the a	ccuracy of a	II information provi	ded above.			
	Signature: _	/s/ Ste	fan Coleman			_	